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Attorneys for Plaintiff THE INSURANCE
COMPANY OF THE STATE OF
PENNSYLVANIA

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA, SAN JOSE DIVISION

THE INSURANCE COMPANY OF THE
STATE OF PENNSYLVANIA,

Plaintiff,

v.

PLANTRONICS, INC.,

Defendant.

Case No. 3:13-cv-05678-JST

**STIPULATION AND ~~PROPOSED~~
ORDER CONTINUING INITIAL CASE
MANAGEMENT CONFERENCE**

The parties hereto, through their undersigned counsel, hereby stipulate as follows:

Recitals

The parties participated in a mediation on March 25, 2014 with Hon. Rebecca Westerfield (Ret.), during which a mediator's proposal was made. Declaration of James P. Wagoner ("Wagoner Decl."), ¶2. Both parties are actively considering the mediator's proposal, which will expire on April 8, 2014. Wagoner Decl., ¶3.

The Initial Case Management Conference ("CMC") is currently scheduled in the above-captioned matter for April 9, 2014 at 2:00 p.m. in Courtroom 9 of this Court. Wagoner Decl., ¶4; Docket No. 12. The parties have made one previous unsuccessful request to have the CMC continued. Wagoner Decl., ¶5; Docket No. 11. The current deadline for the parties to file their joint case

1 management conference statement is March 26, 2014. Wagoner Decl., ¶6; Docket No. 9.

2 In light of the pending mediator's proposal, which expires the day before the currently
 3 scheduled Initial Case Management Conference, the parties desire to focus their resources and
 4 consideration on the proposal and further attempts to settle this dispute. The parties believe that doing
 5 so will increase the likelihood that this matter will resolve through settlement prior to expiration of the
 6 mediator's proposal. Wagoner Decl., ¶7. Accordingly, the parties respectfully request that the Court
 7 1) continue the CMC currently scheduled for April 9, 2014 to April 23, 2014; and 2) continue the
 8 deadline to file the joint case management conference statement from March 26, 2014 to April 9,
 9 2014.

10 Stipulation

11 The parties hereby stipulate 1) that the CMC currently scheduled for April 9, 2014 may be
 12 continued to April 23, 2014; and 2) that the deadline to file the joint case management conference
 13 statement may be continued to April 9, 2014.

14 Dated: March 26, 2014

McCORMICK, BARSTOW, SHEPPARD,
 WAYTE & CARRUTH LLP

17 By: _____
 18 James P. Wagoner
 19 Robert K. Landen
 20 Chet Neilson
 Attorneys for Plaintiff THE INSURANCE
 COMPANY OF THE STATE OF
 PENNSYLVANIA

22 Dated: March 26, 2014

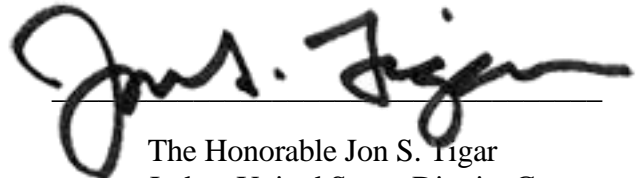
ADLESON, HESS & KELLY, APC

25 By: _____
 26 Randy M. Hess
 Pamela A. Bower
 Attorneys for Defendant PLANTRONICS, INC.

ORDER

Pursuant to the parties' stipulation and supporting declaration, it is hereby ORDERED: 1) that the Initial Case Management Conference currently scheduled in this matter for April 9, 2014 is continued to April 23, 2014; and 2) that the deadline for the parties to file their joint case management conference statement is continued to April 9, 2014.

Dated: April 1, 2014

A handwritten signature in black ink, appearing to read "Jon S. Tigar", written over a horizontal line.

The Honorable Jon S. Tigar
Judge, United States District Court